

MICHIGAN STATE WATERWAYS COMMISSION
REGULAR MEETING

Minutes of the meeting of
December 12, 2003
United States Fish and Wildlife Service Office
East Lansing, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Chairman Winn at 9:00 a.m. on Friday, December 12, 2003, in the United States Fish and Wildlife Service office, East Lansing, Michigan. The following Commissioners were present:

John Winn, Chairman
Frank Opolka, Vice-Chairman
Curtis A. Hertel, Sr.
David Giffin
David V. Johnson
Janet Mansfield
Carol B. Oakley

George Burgoyne, Resource Management Deputy and Lansing staff were present.

Chairman Winn thanked Craig Czarnecki, Field Supervisor with the United States Fish and Wildlife Service for the use of their conference room. Chairman Winn welcomed newly appointed Waterways Commissioners Curtis A. Hertel, Sr., Janet Mansfield and Carol B. Oakley to the Commission. In addition, Chairman Winn expressed thanks on behalf of the Commission to former Waterways Commissioners Pete Beauregard, Sr., Bob Spicer and Jon VanderMolen for their service to the Commission.

Upon motion of Commissioner Giffin, seconded by Commissioner Johnson, the minutes of the October 3, 2003 meeting in South Haven were approved.

Chairman Winn reviewed the 2004 Waterways Commission meeting schedule and mentioned that the February meeting will be held in Lansing, the April meeting will be held in St. Joseph and the October meeting will be held in East Tawas. Mr. Burgoyne suggested that the June Waterways Commission meeting be moved up to May so as to coincide with the dedication of the Tri-Centennial State Park Harbor.

Mr. Bill Boik presented the Waterways Mooring Program report. Included in the report were the Grant-In-Aid Mooring program description for the St. James/Beaver Island project; The State Harbor Program description for the Cheboygan Lock & Dam, Detroit Tri-Centennial State Park Harbor, Detour, Fayette State Harbor, Hammond Bay State Harbor, Mackinaw City, and Mackinac Island.

Also included in the report were the Harbors and Docks Lump Sum Account Projects for Engineering Studies for Charlevoix, Garfield Township in Naubinway, Harrisville, Manistee, St. Clair, Whitehall and the State Harbor in Lexington; the Infrastructure Improvements for Charlevoix, Leland, and Port Austin; State Harbor Dredging for Port Austin, Little Lake, East Tawas, Lac LaBelle, Copper Harbor, Eagle Harbor, Fayette, Detour, Whitefish Point and, under separate contract, Hammond Bay.

Also described were the State Boat Access Site Projects for Belleville Lake, Big Lake, Center Lake, Clinton River Cutoff, Crystal Lake, Cub Lake, Devils Lake, Duck Lake (Baraga), Duck Lake (Rose Lake), East Tawas, Gaylanta, Jackson Field, Lake Avelon, Lake George, Long Lake, Marble Lake, McCormick Lake, Morrison Lake, Ocqueoc River Mouth, Pickerel Lake, Pigeon Lake, Pine Hill, Portage Lake, Randall Lake, Sherman Lake, Silver Lake, South Lake, St. Clair Fishing Site, Thumb Lake, Whitmore Lake, Yankee Springs (Gun Lake).

Mr. Boik also presented three draft documents which detailed the Completed Projects, the Active Waterways Grant-In-Aid Projects, and the Active State Waterways Projects as of December 11, 2003. The charts provided the project name, district, comments as to the work, funding source, funds allotted, funds encumbered, funds expended, fund balance and the status of the project.

Commissioner Giffin inquired as to the status of the Beaver Island project. Mr. John Schlack, United Design Associates, stated they hope to work on this project in the spring of 2004; they are currently looking for project approvals.

Mr. Boik stated the City of Alpena provided a report to the Michigan Waterways Commission which detailed the annual list of physical and site improvements and accomplishments at the City Marina in Alpena. The report also indicated that the City of Alpena has entered into discussions with several other marina communities in northeast Michigan to develop a "regional strategy" to address common issues.

Mr. Boik reported that the City of Rogers City provided an evaluation on the Great Lakes Professional Angling Association's final tournament. The City had requested a waiver of the charter boat rules so that Rogers City could host the tournament, which the Commission granted at the June, 2003 Commission meeting.

Mr. Harold Herta, Parks and Recreation Operations Unit Supervisor, presented Seasonal Slip Recommendations for the following State Harbors: Port Austin, East Tawas, Presque Isle, Detour, Hammond Bay (not open in 2004), Mackinac Island and Cedar River (new-concessioned). Most of the slip numbers did not change from the current to the recommended number; however, an increase of 10 slips was recommended for Port Austin. Commissioner Giffin commented that he supports the increase at Port Austin. Commissioner Opolka asked if the Department of Natural Resources (Department) received a request for the recommended number from these state facilities. Upon motion by Commissioner Giffin, seconded by Commissioner Johnson, it was unanimously

RESOLVED, that the Michigan State Waterways Commission does hereby approve the Seasonal Slip recommendations for Port Austin, East Tawas, Presque Isle, Detour, Hammond Bay, Mackinac Island and Cedar River.

Mr. Herta presented an update on a number of modifications to the Central Reservation System (CRS) operator script to further refine concerns of the Waterways Commission:

- Scripting modifications now in place regarding the importance of utilizing the customer ID.
- Scripting modifications now in place to remind boaters of the 25 percent non-reservable inventory.
- Scripting changes to better explain the cancellation policy.
- Scripting changes at the call center and on the internet to change the check in/out time from noon to 1:00 p.m.
- Modification made to the website to alert boaters for the need to provide the overall boat length when making a reservation.

Chairman Winn suggested that verbiage be added to the script to state “float in transient boaters” in place of simply “transient boaters”.

Mr. Herta related his discussion with harbormasters at the Michigan Boating Industries Association’s December 3, 2003 harbormaster meeting regarding the August, 2003 Waterways Commission Resolution which detailed cut off time for reservations. Mr. Herta said many harbormasters were operating under the misconception that they only had access to 25 percent for the inventory for booking slips. In actuality, the harbormasters have access to the entire inventory. 75 percent of the inventory is available to all three sales channels (internet, call center and harbormasters) and 25 percent is available to only the harbormaster sales channel. This 25 percent is to be used specifically for float-ins and is handled by the harbormasters on an “honor” system. The Department can run a report to check on this.

In response to the Commission’s inquiry regarding the time cut off for next day sales, Mr. Herta stated that there is no problem to institute a same day restriction preventing reservation sales at the call center and internet site. That restriction can be implemented within the current system business rules without the need for system programming. A cutoff hour other than midnight for day-before reservations would require system development efforts at a time when the Department is concentrating their limited IT resources on continued development for point of sale.

Chairman Winn commented that the exact timing is not a critical component, but it is important that at close of business the night before scheduled reservations, the harbormasters need to know what their reservation schedule is. Chairman Winn believes this will create a fair system for the boating public and for the harbormasters.

Commissioner Giffin suggested that the DNR prepare a press release for boating magazines and newsletters which explains the entire reservation system.

Chairman Winn asked about the status of a tri-fold brochure which could be used as a promotional tool at the harbor. Mr. Boik stated the Department is working on this.

Chairman Winn stated that after an initial learning curve, the Central Reservation System has proven to be an excellent tool for the boating public. Mr. Herta agreed, adding that Michigan is the first state in nation to have implemented such a program.

Mr. Herta said the CRS vendor conducts training sessions every spring at 6 various locations for those who are in the system. Mr. Burgoyne suggested that the invitation to participate should be extended to all harbors, not just those who currently participate. Mr. Herta agreed, stating this process is constantly evolving.

Mr. Lowen Schuett, Acting Chief, DNR Parks and Recreation Division, stated Mr. Herta attended the recent harbormaster meeting. Of those in attendance, only a few were on the Central Reservation System; however, after the presentation made by the DNR to the group, there were many harbormasters interested in participating.

Commissioner Giffin requested that the DNR provide the Commission with the dates and locations for CRS training.

Commissioner Oakley asked how many harbors are on the Central Reservation System. Mr. Boik stated there are 21 out of 61 Grant-In-Aid harbors on CRS. He also said all of the state harbors utilize CRS. He said the DNR provides presentations on CRS at the annual Harbormasters Meeting. As the system improves and the glitches are worked out, general word of mouth has been helpful as positive comments from those on the system are bringing others in. In addition, the Commission has requested that communities participate when Waterways funding or a variance request comes before the Commission. Commissioner Giffin added that while the Commission can't require a city to join, they can urge them to participate.

Commissioner Oakley inquired about the billing process used by the Central Reservation System. Mr. Herta replied that the entire stay is billed at the time the reservation is made. This system provides "up front" funds for the harbor. If a cancellation occurs, \$8.00 is kept by the harbor. Mr. Herta stated the system ultimately saves the harbor time while providing them with a source for funds prior to the actual boating season.

Commissioner Winn believes that families benefit from using the Central Reservation System as they know they will have a guaranteed reserved slip to use during their planned vacation.

Mr. Herta stated that harbors connected to the Central Reservation System have experienced an 11 to 500 percent increase in reservations.

Mr. Rick Lillie, Chairman of the 2004 Chicago to Mackinac Committee, appeared as a follow up regarding the five overstaying boats following the conclusion of the 2003 race. Mr. Lillie stated the Chicago Yacht Club has instituted more stringent Docking Rules and

Docking Procedure for racers at Mackinac Island. He also stated each of the boaters had submitted a letter of explanation and/or apology to the Commission.

Chairman Winn expressed the appreciation of the Waterways Commission to Mr. Lillie for the steps taken by the Chicago Yacht Club to remedy the problems encountered in the 2003 race. Chairman Winn further stated that the Commission appreciates the 100 year tradition of the race and believes that by providing the Chicago Yacht Club with a “clean slate” for 2004 that the Club will provide the framework for their members to proceed properly. Chairman Winn stated that the Central Reservation System has, in essence, been the key to more stringent observation of the rules; he also said the Chicago Yacht Club is aware the onus is on them and that the Club understands there will be reprisals if problems occur in the future.

Commissioner Giffin commented that he appreciates the strong leadership process the Chicago Yacht Club used in handling this situation.

Mr. Lillie thanked the Commission and reiterated that the Chicago to Mackinac Race Committee has a broader and better understanding of the process.

Mr. Christopher Thomas, member of the Chicago Yacht Club and Captain of the Flying Welshman, appeared and apologized for his part in having his boat overstay following the race. Chairman Winn thanked Mr. Thomas for appearing.

Mr. Bill Boik presented variance requests from the City of Harbor Springs, the City of New Buffalo, the City of Petoskey, and the City of Charlevoix, each requesting a rate variance to use the higher premium rate schedule for transient boaters and that the rate be a permanent rate.

Chairman Winn expressed his support for these requests and again strongly encouraged other communities to review their needs and to come before the Commission to request higher rates, if they feel it is necessary. He also stated he was pleased to see the nomenclature to describe the rates changed from “Mackinac Island” to “premium”.

Upon motion by Commissioner Giffin, seconded by Commissioner Johnson, it was unanimously

RESOLVED, that the Waterways Commission does hereby approve the variance requests from the City of Harbor Springs, the City of New Buffalo, the City of Petoskey and the City of Charlevoix to be permanently assigned the higher premium rate schedule.

Commissioner Giffin and Commissioner Johnson agreed to amend the motion to recommend that all waterway facilities granted premium rates are approved contingent upon the facility participating in the Central Reservation System.

Mr. Boik presented another variance request from the City of New Buffalo to their agreement with the DNR to use the boat launch parking lot for special events held within the city. The use would not displace boaters and would be made available on the same terms and conditions as offered to boaters. The fees will be the same as boaters using the parking lot. Commissioner Opolka asked what the fee structure is and Mr. Boik stated it is \$4.00. Upon motion by Commissioner Opolka, seconded by Commissioner Johnson, it was unanimously

RESOLVED, that the Waterways Commission does hereby approve the variance request from the City of New Buffalo to utilize the boat launch parking lot for special events held within the City as long as boaters are not displaced.

The City of Marquette requested a rate variance increase for the 2004 boating season for their Presque Isle and Cinder Pond Marinas. Mr. Hugh Leslie, City of Marquette City Manager, stated they are working on joining the reservation system; they experienced some internal opposition and have since reached agreement. Commissioner Opolka asked if a public hearing has been held regarding the rate variance and Mr. Leslie stated a meeting was held on December 8, 2003 and there was no opposition to the increases.

Upon motion by Commissioner Johnson, seconded by Commissioner Giffin, it was unanimously

RESOLVED, that the Waterways Commission does hereby approve the City of Marquette's rate variance request for seasonal slips at Cinder Pond and Presque Isle Marinas and an increase in the rates for the boat launch facilities at Cinder Pond and Presque Isle. Both approvals are contingent upon participation by the City of Marquette in the DNR's Central Reservation System.

Commissioner Giffin inquired if the City of South Haven has submitted a report regarding the reaction from the Harbor Committee. Mr. Boik stated he will contact them to obtain the report; Mr. Boik said the project is currently under construction.

Commissioner Oakley inquired about the project in South Haven and Mr. Boik provided details.

Mr. Boik provided additional information regarding a discussion from the October, 2003 Commission meeting concerning electrical power pedestal specifications. Mr. Boik reported that DNR engineer, Bruce Watkins, clarified the specifications and added language that addresses receptacle angles and door/covers for proper hand clearance. Upon motion of Commissioner Giffin, seconded by Commissioner Johnson, it was unanimously

RESOLVED, that the Michigan State Waterways Commission does hereby approve clarification to Section 16250 of the Harbor of Refuge Electrical System Upgrade, Division Sixteen – Electrical – Part Two Products; 2.01 Power Pedestal for

engineering specifications for an electrical pedestal design which allows one-handed access.

Mr. Boik explained this discussion began when Commission Giffin viewed a slide of the facilities at the new Cedar River Harbor and Marina and discovered the power pedestals were not in keeping with the Commission's original intent. He said the Department has plans to retrofit the electrical pedestals at Cedar River.

Charlevoix Mayor Gabe Campbell stated that the City of Charlevoix and Charlevoix residents are now in agreement regarding the design of the new marina. Initial discussion was vocal and involved 8 community meetings before a design was chosen.

Mr. James Muschell and Mr. John Schlak, United Design Association, provided a power point presentation on the proposed marine facility in Charlevoix.

Mr. Peter Pollack, Pollack Design, provided additional commentary on the landscape planning for the design of the east park and municipal marina. He viewed the land and water project to be part of the heart of the community and expressed his desire for the best possible multiple use for the facilities and grounds.

Mr. Pollack presented a number of story boards which visually laid out the preferred plan as well as plans that were not chosen. The new facility changes the shape, but not the general contour, of the harbor increasing the number of slips from a current 34 to 69. The preferred plan calls for T piers and a promenade for use by the general public and then a series of piers for the boating public. The entire project has a projected cost of 10.6 million dollars, which includes some items to be handled separately by the City of Charlevoix, leaving a 9 million dollar project.

Upon motion by Commissioner Giffin, seconded by Commissioner Johnson, it was unanimously

RESOLVED, that the Michigan State Waterways Commission does hereby recommend that the Department of Natural Resources utilize a 75 percent state funding ratio for the City of Charlevoix harbor project.

Commissioner Johnson praised the City of Charlevoix and the local community for their diligence and commitment in creating a design that takes into consideration the needs of the boating public as well as enhancing the experiences of the non-boating public.

Mayor Campbell thanked the Commission for their consideration and recommendation.

Chairman Winn opened up nominations for officers for the Waterways Commission for 2004. Commissioner Giffin nominated Commissioner Opolka for Chairman; Commissioner Opolka nominated Commissioner Johnson for Vice-Chairman; Commissioner Opolka nominated Commissioner Giffin for Secretary. Hearing no other nominations, the Commission approved the ballot.

Commissioner Johnson, on behalf of the Waterways Commission, extended sincere thanks for a job well done to outgoing Chairman John Winn.

Charlevoix City Manager Mike Wiesner commented on the debt service projection for the proposed marina expansion and provided the Commission with information detailing the project costs, bonding costs, and yearly debt service.

The meeting was adjourned at 10:45 a.m.